

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-1654

JONATHAN KEITH IDEMA,

Plaintiff - Appellant,

versus

ISHMAEL SHAHEED, Legal guardian and/or parent of Shareef Shaheed; JACQUELINE N. SHAHEED, Legal guardian and/or parent of Shareef Shaheed; SARA GEOGHEGAN, Legal guardian and/or parent of Shane Gohegan; THOMAS GEOGHEGAN, Legal guardian and/or parent of Shane Gohegan; JOHN DOE, I, Legal guardian and/or parent of "Antonio"; JANE DOE, I, Legal guardian and/or parent of "Antonio"; JOHN DOE, II, Legal guardian and/or parent of "Montez"; JANE DOE, II, Legal guardian and/or parent of "Montez,"

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (CA-96-76-5-BR3)

Submitted: April 13, 2000

Decided: April 19, 2000

Before WIDENER and WILKINS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Jonathan Keith Idema, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Jonathan Keith Idema seeks to appeal the district court's order dismissing his suit for lack of diversity jurisdiction. We dismiss the appeal for lack of jurisdiction, because Idema's notice of appeal was not timely filed.

Parties are accorded thirty days after entry of the district court's final judgment or order to note an appeal, see Fed. R. App. P. 4(a)(1), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6). This appeal period is "mandatory and jurisdictional." Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)).

The district court's order was entered on the docket on March 23, 1999. Idema's notice of appeal was filed on May 6, 1999. Because Appellant failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED